

LETTER FROM ROBERT DALE OWEN

Shall Restoration be Unconditional?
To the Editor of the N Y. Tribune
SIR I take exception, in these days
no contrarieties of opinion touching the pro-
per mode of restoring harmony between the
late belligerent sections of our country. This
is a problem which may tax the best edu-

to the solution of which the ablest men have failed. But if the task before us is difficult, it is not hopeless. Not I firmly believe, a doubtful even. I have faith in the people. I have faith, stronger still, that God, who for so long guides us now when the signs of combat

The essential is that we approach this great subject in a fitting spirit. It avails nothing to talk about the enormity of the crime and the condign punishment it merits. The punishment of nations is in other hands than ours. If the judgments of God have not already stamped Slavery as a sin and treason against a beneficent government, it is a crime, in vain are the efforts of man to that direction.

that sin of Slavery, the cause of the Revolution, originally came upon the South against her own will, against her solemn protest. In December, 1770, the King of Great Britain commanded the Governor of Virginia "under pain of the highest displeasure, to resort to no law prohibiting the importation of slaves." Virginia in April 1772 addressed the King in remonstrance saying to him the e remarkable words: "The importation of slaves, a trade of great inhumanity

will endanger the very existence of our Majesty's American dominions." Maryland and Carolina followed that lead.

But aside from this, what a unphilosophical and unjust as the spirit of the Phœnix. It is due to a geographic accident that we were not born slaveholders in the City of "huglston." Dared we say that if we had been, we should have been just men, that is—more scrupulous about living by the labor of others? Shall we stand up in the temple of our own selfish rights?

We can never, in deed forget—God forbid—that we should!—the terrible consequences of treason, the hardships, the sufferings, the loss of lives, the parents and widows lacerated, the countless thousands of homes made desolate among us. But to avert evils in the future better fits a Christian people than to avenge injuries of the past. Let us

born of the despots and the lawless. I do not
only who have injuries to requite? Who
were our sufferers during the war compen-
sation to the thousand wrong perpetrated through
out generations against the millions of
Southern slaves? But, though the wrong en-
tered into their souls, did they return evil
for evil? Did they long to when the day of
liberation dawned, the words of the text
"Vengeance is mine, I will repay" saith the
Lord? }

"If there be among our people a revengeful element let us not pand to it. If we impose conditions before we restore political rights to those who, defying law and Constitution by force of arms, became public enemies, it ought to be in defense, not in requital."

"If we impose conditions," To a dispassionate looker on it must be strange that there in the North there should be a question at all. At the close of a four years embittered war

As to the right in this case, the space I have prescribed to myself forbids more than a few

I shall not, therefore, here broach the speculative inquiry what is the precise legal status of the late insurgent States. A more technical view of a great subject is always a contracted one. Questions involving the life or death of nations are not decided by flimsy drawn theories. Good Abraham Lincoln with that sagacious common sense which

marked [the man, when alluding, in the last speech he ever made to the disputed point whether the seceded States "are in the Union or out of it," said "That question has not been, nor yet, a practically material one, and any discussion of it while it thus remains practically immaterial can have no other effect than this: a very use of dividing our friends."

of 2,000,000 lives and 3,000,000,000 of treasure that North has *not* won the right to decide what guarantees are needed to avert, in future, the perils and sufferings of the past when the chapters of War and Peace in the code of International Law are so much waste paper, then no rights can be obtained by conquest, then the sword is a worthless weapon, and only to destroy, impotent to save.

Ere we deny such a right we must blot from the books some of the best known and

not universally recognized principles of public law. We must reject the accepted doctrine that civil war is subject to the same general rules as foreign war, or else we must refuse to assent to the fact every publicist of repute has set forth, and what common sense suggests) as among the most important of national rights and duties, the rule, namely, that a nation, especially a victorious nation, is entitled to protect itself not only against immediate but against prospective danger.

giving all rights attendant on conquest on 'justifiable self defense,' Vattel says:

"When the conqueror has subdued a hostile nation, he may, if he pleases, retain it, or he may be obliged of doing mischief with the same ease in future. * * * If the safety of the state lies at stake, our precaution and foresight cannot be extended too far. Must we delay to avert our ruin by the loss of a province? Must we expose ourselves to a right to provide for our future safety by depriving the unjust aggressor of the means of injuring us?—Vattel, Book III, §§ 20, 44, 45

To us, and not to the unjust aggressor!

he appealed to the waver of battle and
st, belongs, at this time the right to decide
that guarantees are needed for the public
safety, and how that "unjust aggressor"
all be rendered "incapable of doing mis
deeds with the same ease in the future"
early we paid for that right! We shall
commit a folly unparalleled in the annals of
tions if we neglect to use it.

But if all things are lawful for us, all
things are not expedient. Thus, though due

ne must be taken for the maturing and
consummation of precautionary measures,
t, on the other hand, one section of a Re-
blic containing a fourth of its inhabitants
cannot, except for a season, safely be shut
t from Federal representation. Therefore
the political rights of the States lately in in-
urrection should be restored to them at the
earliest day consistently with the peace and
safety of the country.

I am content that to see civil rights as a mere question of expediency, and to make the question of address, provided we offer, by constitutional amendment to the late President Stimson strong inducements ultimate in this matter, up to a republican principle.

We can do this in strict accordance with justice between the two great sections of our country, and in strict accordance with the principle of representation, by giving the basis of representation to the people of the States, and not to the people of the Union as a whole. It is an equally important principle as the one as to justice, but as one of those measures of transition and forelight which are necessary in the extra-ordinary times in which we have been justified and recommended to provide for our future safety by driving out justly injured persons of means of injury to the State, and not to the Nation, and of injuring himself. When we have one common cause as we have one common country, and the majority of the section of the Union involved in the question of the color of the skin. This brings me to consider the second of the dangers incident to unconstitutional restriction.

It is an even States little to be established by two races in this proper manner, and that in the census of 1860) of all that live in this country eleven million and a half, of these eleven million and a half, three fifths are white and two fifths colored. In two of the States colored exceed the white in number.

320 Mississippi while 333,901 colored
377 37101] In several others the numbers of
happened justly. Louisiana, white
462 colored 160,877, Alabama, white
508, colored 160,877, Georgia, white
158,888, colored 467,698, and Florida white
1738, colored 252,677.]

It now begins to be clear upon a
careful examination of the statistics
that, with very few exceptions, loyal to
the Union and friendly to the North, while
the numbering of the fugitives by a large
majority of the States, the Congress and
friendly to the North, in proportion
to its later statement, not only an imputation
entirely as a wrong and well known and
very natural thing, under the circumstances,
is a convenience, and the unquashed are not
entirely to have the victory.

It is not possible to have an amendment
which suffrage enters into an amendment
the Constitution, that the race numbering
three fugitives will have the power to exclude
from voting the two fifths. If they do the
three fifths will have the power to exclude
the two fifths. In the average, every three white voters
will at the States have in rebellion will
have much political power in Congress and
in the States, and the colored voters, as the
white voters throughout the Northern
States.

We cannot, even by amending the Con-

proved its equal suffrage in the Senate Constitution, Art. V.)

It is not the House of Representatives that is a constitutional remedy, by proving that if the colored race is not admitted to the polls neither shall the whites be, in the basis of representation. These two classes are considered the present apportionment, to fifty-eight Representatives They would be reduced under a purely white basis to approximately thirty-two. (See Census of 1870, 127,000) to about thirty-two Representatives only.

This would reduce the electoral vote as well, because of changed representation in the Senate not as equally equalizing, even then, a political white as in the Northern and Southern states in America. It would mean, then, that the colored race would be at a disadvantage. And this can only be prevented by amending the Constitution so the President shall be elected directly by the people.

It is observed that, while the basis of representation remains unchanged and the representation question undetermined, two are the following: First, the Secessionists of the South are allowed to vote among their voters, to the extent of twenty per cent of the whole, that particular class which is known to be almost unanimously

[illegible]

the wording of the section intended to remedy the injustice is, as the House chairman of the committee whence it came has admitted, objectionable. It ought not to be in its present shape, if for no other rea-

1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 26



Figure 1

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